

**REMARKS**

Claims 1-21 are withdrawn. Independent claim 22 is presently amended. New claims 23 through 39 are added. The independent claims now pending are 22 (presently amended), 23 (new), 35 (new) and 39 (new). The dependent claims now pending are 24-35 (new) and 36-38 (new).

**A. SECTION 102(b) AND SECTION 103**

The following discussion first addresses the prior art references cited by the Examiner as applied generally to the present Invention. The discussion then applies the prior art to the claims as amended.

**1. U.S. Patent 2,546,283 to Webster issued March 27, 1951**

("Webster") teaches a book holder supporting a book face-down on a "sheet of transparent material " (column 3, line 46). A person reads the book from below, looking through the sheet of transparent material. In Webster, light traveling from a letter, figure or image on a page of a book or other reading material necessarily passes through the transparent sheet before the light reaches the eye of the reader.

In the present Invention, the person views the book or other reading material from below, but views the reading material through openings defined by the frame members. The reader's view of the reading material is unobstructed by the frame members or by a sheet of transparent material.

**2. U.S. Patent U.S. Patent 3,140,558 to Cassidy issued July 14, 1964**

("Cassidy") teaches a book stand on which the book is placed **face up** and on which the book is held in place by spring clips. A person views a book held on the Cassidy invention from above. In the present invention, the book is placed **face down** on the frame. In the present Invention, the person views the book or other reading material from below by looking upward through openings defined by the upper and lower frame members.

**3. U.S. Patent 5,058,848 to Ferraro issued October 22, 1991 ("Ferrero").** The Ferraro book holder is supported by a floor stand over a bed and is read from below by a person lying on the bed. A book rests on two clear plates that are separated by a vertical space. Ferraro teaches a spring mounted on one of the clear plates on the bottom side (the side toward the reader). To turn the page, the reader reaches with one hand through the space between the two clear plates, moves the page through the opening and inserts the page under the spring. As illustrated by the Ferraro figures and description, the observer reads odd number pages predominantly through the right side clear plate and partially through the space between the clear plates. The reader's view of the odd number pages therefore is obscured by the clear plate. The reader reads the even number pages held by the spring.

In the present Invention, the reader views the reading material through the opening defined by the frame members. The reader does not view the reading material through a transparent sheet. For independent claims 23 (new), 35 (new) and 39 (new), the opening is defined by upper and lower frame members, at least one of which is movable. For independent claim 22 (presently amended), the reading material may be supported by a plate; however, the reader views the reading material through an opening in the plate and not through the plate.

Neither Ferraro nor the other prior art teaches a holder for a book or other reading material where a person reads the reading material from below through an opening so that the person's view of the letters, figures or images on the reading material is unobstructed. Neither Ferraro nor the other prior art references teaches upper and lower frame members, at least one of which is adjustable, defining the opening through which the person views the reading material.

#### **COMPARISON OF THE PRIOR ART TO THE CLAIMS**

The independent claims of the present Application include the following limitations:

**Claim 22 (presently amended)**

"...said plate defining an opening, said opening adapted so that said person may manipulate the reading material through said opening when said frame is in said first position, said plate adapted so that said person may observe

**substantially all of the reading material through said opening...**" (Emphasis supplied).

None of the prior art patents teaches a holder for reading material where substantially all of the reading material is visible to a person through an opening defined by a plate supporting the reading material.

**Claim 23 (new)**

**"...one of said upper and said lower frame members being movable to define a user-selectable first distance between said upper and said lower frame members, said first distance defining an opening; ...a support member, said support member being adapted to support said upper frame member above a person when said person is in a reclined position, said upper and said lower frame members being adapted to support the reading material against a pull of gravity such that said upper frame member and said lower frame member are interposed between the reading material and said person."** (Emphasis supplied).

None of the prior art patents teaches a holder for reading material having an upper and a lower frame member, at least one of which is movable, that support reading material above a person and that are interposed between the person and the reading material so that the person may view the reading material through the opening defined by the upper and lower frame members.

**Claim 35 (new)**

"...an upper frame member and a lower frame member, said upper and said lower frame members being horizontally disposed in a spaced-apart relation, one of said upper and said lower frame members being movable to define a user-selectable first distance between said upper and said lower frame members, said first distance defining an opening; ...said first distance of said opening being selected so that said substantially **all of said text area of the reading material is visible to said person through said opening without obstruction.**" (Emphasis supplied).

As noted above, none of the prior art patents teach a reading material holder where substantially all of the text area of the reading material is visible through an opening defined by upper and lower frame members. The prior art holders also do not teach horizontally disposed upper and lower frame members defining the opening through which the reading material is visible.

**Claim 39 (new)**

"...a frame having a lower frame member and an upper frame member, said upper and said lower frame members slidably engaging said frame, the reading material having a first side, said first side of the reading material having an upper and a lower periphery defining an upper and a lower margin area of said first side, said upper frame member adapted to engage said

upper margin area of said first side of the reading material, said lower frame member adapted to engage said lower margin area of said first side of the reading material, said upper and said lower frame members thereby supporting the reading material against a pull of gravity, said lower side of said frame defining an opening, **said opening adapted to exhibit substantially all of said first side of the reading material other than said upper and said lower margin area to a person observing the reading material through said opening...**" (Emphasis supplied).

None of the prior art patents teach an upper and a lower frame member that support the upper and lower margins of the reading material and that define an opening through which reading material is visible.

A fundamental difference between the present Application and the prior art is the element of an "opening." In each of the independent claims, light traveling from images or printing appearing on the reading material passes through the opening before reaching the eye of the reader. The light is not obstructed by the frame or by a clear panel. Because the prior art patents do not teach these elements, no claim of the present Application is either anticipated or obvious under the prior art.

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**CONCLUSION**

Applicant submits that all pending claims, as amended, are in condition for allowance. Applicant requests that a Notice of Allowance be issued in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Yarbrough', with a long, sweeping horizontal line extending to the right.

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